3

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

-vs-

CRIMINAL NO. CR-10-20403-NGE

HON. NANCY G. EDMUNDS

D-5 DERRICK MILLER,

Defendant.
_______________________________/

Violations:
18 U.S.C. § 666(a); and
26 U.S.C. § 7206(1)

FILED
2011 SEP 12 A 9 41
U.S. DIST. COURT CLERK
EAST. DIST. MICHIGAN
DETROIT

SECOND SUPERSEDING INFORMATION

THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT ONE
(18 U.S.C. § 666 (a) -- Federally Funded Program Violation)

D-5 DERRICK MILLER

1. At all times material to this Second Superseding Information, DERRICK MILLER was an agent of the City of Detroit, Michigan, serving as Chief Administrative Officer and then Chief Information Officer for the City of Detroit, which was a local government that received federal assistance in excess of $10,000 during each of the years 2005 through 2007.

2. From about 2005 until 2007, in the Eastern District of Michigan, MILLER did corruptly accept something of value with the intent that he be rewarded and influenced in connection with a transaction and series of transactions of the City of Detroit involving a thing of value of $5,000 or more. Specifically, MILLER accepted a total of $115,000 from a real estate broker who received commissions in connection with

the lease and/or sale of City of Detroit properties over which MILLER had influence.

All in violation of Title 18, United States Code, Section 666(a)(1)(B).

COUNT TWO
(26 U.S.C. § 7206(1) – False Statement on Tax Return)

D-5 DERRICK MILLER

1. On or about October 15, 2008, in the Eastern District of Michigan, defendant DERRICK MILLER willfully made and subscribed a joint Form 1040 U.S. Individual Income Tax Return for calendar year 2007, which was verified by a written declaration that it was made under the penalties of perjury, and which MILLER did not believe to be true and correct as to every material matter. Specifically, MILLER did not believe the tax return to be true and correct as to the following material matters: (a) the return failed to disclose that MILLER had received $568,000 in additional income that year from a real estate company and $46,725 in additional income that year from a real estate broker, which MILLER well knew at that time he was required by law and regulation to disclose; and (b) the return stated that MILLER's adjusted gross income was $247,099, whereas, as MILLER well knew at that time, his total income was in excess of that amount.

All in violation of Title 26, United States Code, Section 7206(1).

BARBARA L. MCQUADE
United States Attorney

s/Mark Chutkow
MARK CHUTKOW
Assistant United States Attorney

s/R. Michael Bullotta
R. MICHAEL BULLOTTA
Assistant United States Attorney

Dated: September 12, 2011

. States District Court .stern District of Michigan	Criminal Case Cover Sheet	Case Number 10-CR-20403

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Reassignment/Recusal Information

This matter was opened in the USAO prior to August 15, 2008 **[Yes]**

Companion Case Information	Companion Case Numbers: U.S. v. Karl Kado 08-CR-20418; Hon. Marianne O. Battani U.S. v. James Rosendall, Jr., 09-CR-20025; Hon. Avern Cohn
This may be a companion case based upon **LCrR 57.10 (b)(4)**[1]:	
■ Yes ☐ No	AUSA's Initials: m/c

FILED
2011 SEP 12 A 9:40
U.S. DIST. COURT CLERK
EAST. DIST. MICHIGAN
DETROIT

Case Title: USA v. D-5 DERRICK MILLER

County where offense occurred : Wayne

Check One: ■ **Felony** ☐ **Misdemeanor** ☐ **Petty**

____Indictment/____Information --- **no** prior complaint.

____Indictment/____Information --- based upon prior complaint [Case number:]

X **Information based upon** LCrR 57.10 (d) *[Complete Superseding section below]*.

Superseding Case Information

Superseding to Case No: 10-CR-20403 Judge: NANCY G. EDMUNDS

☐ Original case was terminated; no additional charges or defendants.

☐ Corrects errors; no additional charges or defendants.

■ **Involves, for plea purposes, different charges or adds counts.**

☐ Embraces same subject matter but adds the additional defendants or charges below:

Defendant	**Charges**
D-5 Derrick Miller	**18 U.S.C. § 666(a) and 26 U.S.C. § 7206(1)** **(No prior Complaint)**

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

September 12, 2011
Date

MARK CHUTKOW
Assistant United States Attorney
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[1] Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.